

MEMORANDUM

June 6, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 6/4/74

Petition No. Z-3089
Catherine V. Flanagan (Owner)
Barry Siegel (Prospective Purchaser)
945-947 East Second Street and
29-31 Farragut Road
South Boston

Petitioner seeks to legalize occupancy as a professional office building in a local business (L-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	0.5	0.9
Section 18-1. Front yard is insufficient.	15 ft.	0
Section 23-4. Off street parking is insufficient.	21 spaces	0

The property, located at the intersection of East Second Street and Farragut Road, contains a one-story masonry structure. The South Boston Dental Associates, presently located on East Broadway, would be the prime occupant. Following is recommended: that space be acquired or leased to provide off street parking; that signs comply with code regulations; that interior and exterior alteration plans be submitted for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3089, brought by Catherine V. Flanagan & Barry Siegel, 945-947 East Second Street and 29-31 Farragut Road, South Boston, for three variances to legalize occupancy as a professional office building in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following conditions: that space be acquired or leased to provide off-street parking; that signs comply with code regulations; that interior and exterior alteration plans be submitted to the Authority for design review.

FARRAGUT

PARKING AREA

AQUARIUM
SKATING
RINK

ARINE

Z-3089

945-947 E. SECOND

29-31 FARRAGUT RD

(S. B.)

ROAD

STREET

STREET

BROADWAY

STREET

STREET

SECOND

THIRD

FOURTH

FIFTH

ST.

PLAYGROUND

EAST

EAST

EAST

EAST

EAST

HAZARETH
GRADE SCHOOL
(GRAM.)

ST. BRIGIOS
CHURCH
(R.C.)

HAZARETH
HIGH SCHOOL

ST. MARY
THE RECTOR

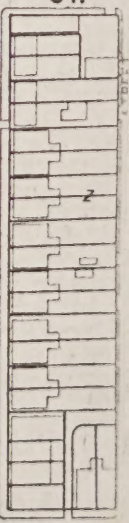
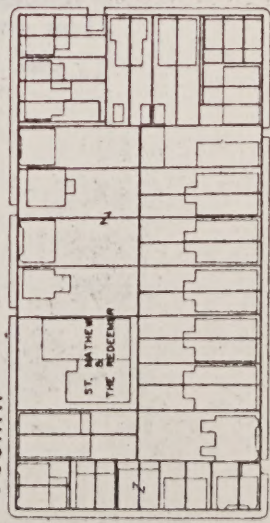
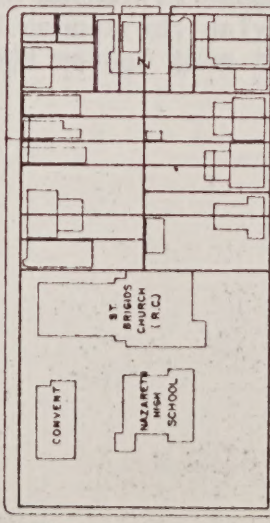
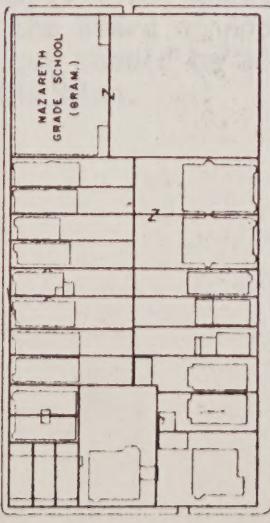
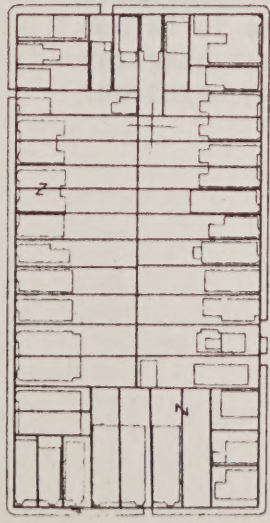
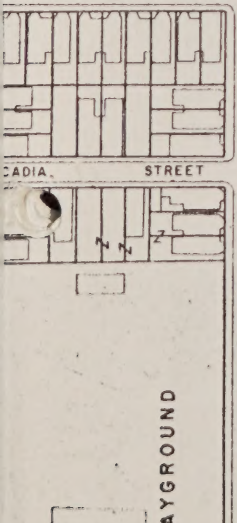
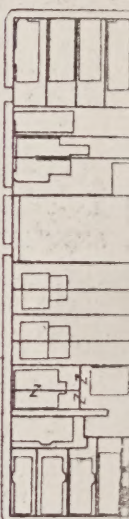
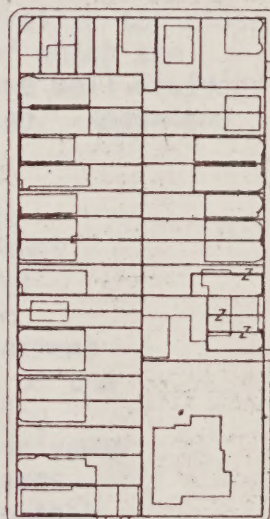
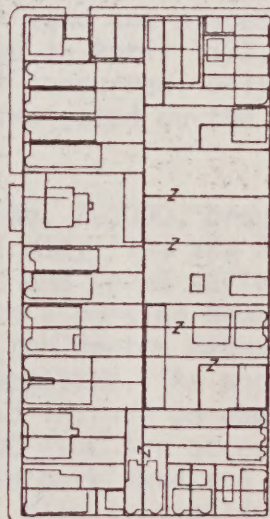
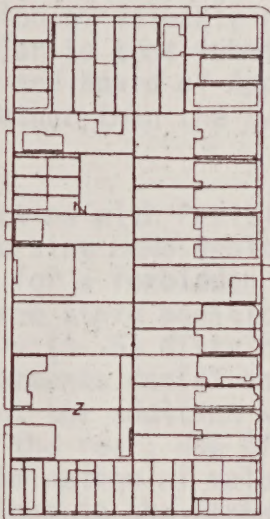
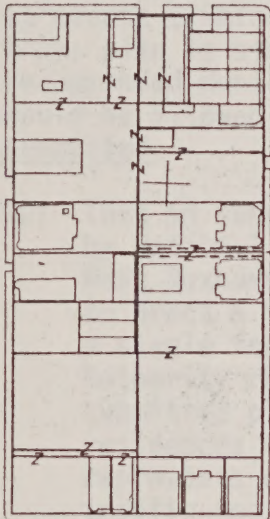
NURSERY
SCHOOL

CADIA

STREET

POINT COURT

WY-1
2601



Hearing Date: 6/4/74

Petition No. Z-3090
National Nursing Home Realty Trust
1190 VFW Parkway
West Roxbury

Petitioner seeks a forbidden use and seven variances to erect a three-story addition to a nursing home in a single family (S-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A nursing home is forbidden in an S-.5 district.		
Section 10-1. Parking not allowed in required front yard.		
Section 14-2. Lot area for additional unit is insufficient.	4000 sf/du	632 sf/du
Section 15-1. Floor area ratio is excessive.	0.5	0.8
Section 16-1. Height of building is excessive.	2½ stories	3 stories
Section 18-1. Front yard is insufficient. (VFW Parkway)	30 ft.	25 ft.
Section 18-4. Front yard is insufficient.		
Section 23-3. Off street parking is insufficient.		

The property, located near the intersection of Baker Street, contains a two-story 101 bed nursing home. Proposed expansion would accommodate 82 beds. Staff is opposed for the following reasons: as shown on the submitted plan, the addition would intrude on abutting residences to the rear; use of MDC land for access driveway represents elimination of valuable park land and places traffic too close to the Parkway; plan is similar to that submitted in April 1972, of which the Authority recommended denial and Board of Appeal concurred; only one well designed curb cut should be allowed rather than the two indicated on the plan. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-3090, brought by National Nursing Home Realty Trust, 1190 VFW Parkway, West Roxbury, for a forbidden use and seven variances to erect a three story addition to a nursing home in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial as submitted. As shown on the submitted plan, the addition would intrude on abutting residences to the rear; use of MDC land for access driveway represents elimination of valuable park land and places traffic too close to the Parkway; plan is similar to that submitted in April 1972, which the Authority recommended denial of and the Board of Appeal concurred; only one well designed curb cut should be allowed rather than the two indicated on the plan.

LROAD

Board of Appeal Referrals 6/6/74

Hearing Date: 6/4/74

Petition No. Z-3092
Neptune Realty, Inc.
621-623 Saratoga Street
East Boston

Petitioner seeks two forbidden uses for a change of occupancy from six car garage to vehicle storage and outdoor display for sale of new or used cars in residential (R-.8) and local business (L-.5) districts. The proposal violates the code as follows:

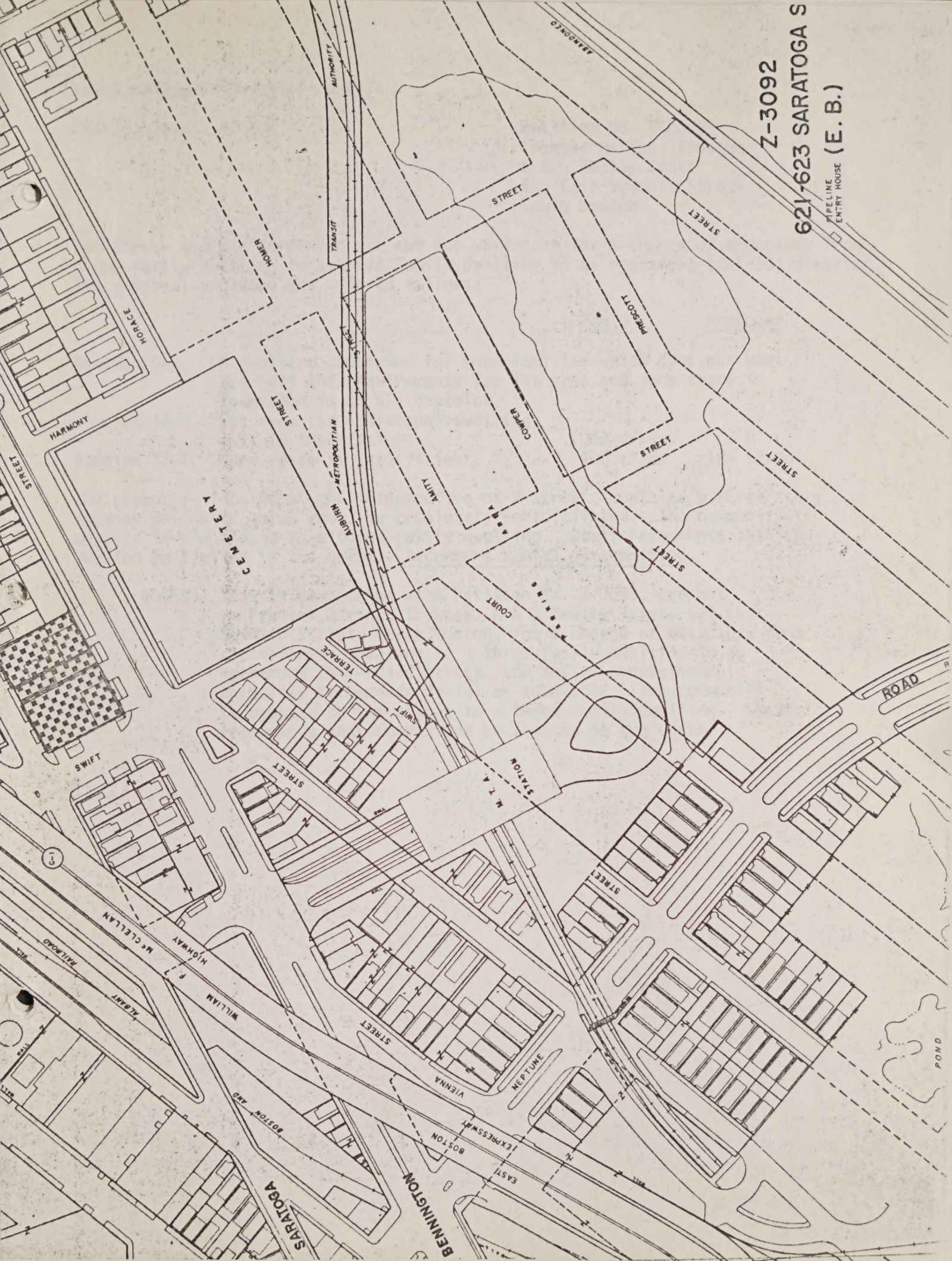
Section 8-7. Outdoor display for sale of new or used motor vehicles is forbidden in R-.8 and L-.5 districts.

Section 8-7. Sale and display for sale of motor vehicles within a building is forbidden in R-.8 and L-.5 districts.

The property, located near the intersection of McClellan Highway, contains a one-story structure (garage units). Proposal would be ancillary to petitioner's auto dealership at 615-617 Saratoga Street. The lots are separated by a two-family dwelling (619 Saratoga Street). An increase in the existing non-conformity would tend to have a blighting impact on abutting dwellings and predominant residential neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-3092, brought by Neptune Realty, Inc., 621-623 Saratoga Street, East Boston, for two forbidden uses for a change of occupancy from six car garage to vehicle storage and outdoor display for sale of new or used cars in residential (R-.8) and local business (L-.5) districts, the Boston Redevelopment Authority recommends denial. An increase in the existing nonconformity would tend to have a blighting impact on abutting dwellings and predominant residential neighborhood.

PIPELINE
ENTRY HOUSE
(E. B.)



Board of Appeal Referrals 6/6/74

Hearing Date: 6/4/74

Petition No. Z-3093
Frances Hering, Trustee
K & S Realty Trust
675 East Seventh Street
South Boston

Petitioner seeks a forbidden use and two variances for a change of occupancy from a one-family dwelling to a three family dwelling in an apartment (H-1-50) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet one half the requirements for lot area and open space is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	0
Section 17-1. Open space is insufficient.	400 sf/du	128 sf/du

The property, located at the intersection of M Street, contains a three-story masonry structure which would be completely rehabilitated. The community is opposed to the change to a three-family dwelling. Staff recommends that conversion be limited to two units. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-3093, brought by Frances Hering, Trustee, K & S Realty Trust, 675 East Seventh Street, South Boston, for a change of occupancy from a one-family dwelling to a three-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends denial as submitted. The community is opposed to the change to a three family dwelling. Staff recommends that conversion be limited to two units.



Z-3093
675 EAST SEVENTH
(S.B.)

TICKNOR

MARINE

HATCH STREET

NORCROSS PL

HARRY PLACE

EAST

EAST

EAST

BECKLER AVENUE

GASTON
SCHOOL
(EL)

CUTLER COURT

HALL PLACE

VIKING ST

EIGHTH

BALMORAL PK

FLINT PLACE

BARRET AVENUE

STREET

HARDY STREET

ROAD

COLUMBIA

STREET

SEVENTH

SIXTH

FIFTH

PETERS STREET

MONKS STREET

OLIVER MAZARD
PERRY
SCHOOL

ROAD

Board of Appeal Referrals 6/6/74

Hearing Date: 6/11/74

Petition No. Z-3094
Samuel D. Perry
323-327 Newbury Street
Boston

Petitioner seeks a conditional use for a change of occupancy from a school and store to a restaurant, retail sales, exhibition center, film-graphics studio and offices in a general business (B-4-70) district. The proposal violates the code as follows:

- Section 8-7. A restaurant providing dancing or entertainment or both and an exhibition center are conditional in a B-4-70 district.
- Section 8-6. A change in a pre-existing conditional use requires Board of Appeal approval.

The property, located near the intersection of Hereford Street, contains a two-story masonry structure. The basement and first floor would be leased for the operation of a Japanese restaurant and cultural center. Following conditions are recommended: that validated parking be provided at local garage; that exhaust system be designed so that any odors are effectively confined to the lot; that garbage be compacted and stored within the building; that bar and entertainment be associated with restaurant operation only; that plans be submitted for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3094, brought by Samuel D. Perry, 323-327 Newbury Street, Boston, for a change of occupancy from a school and store to a restaurant, retail sales, exhibition center, film-graphics studio and offices in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval with the following conditions: that validated parking be provided at local garage; that exhaust system be designed so that any odors are effectively confined to the lot; that garbage be compacted and stored within the building; that bar and entertainment be associated with restaurant operation only; that plans be submitted to the Authority for design review.



Z-3094
323-327 NEWBURY ST.
(B. P.)

CITY
AUDITORIUM

MASSACHUSETTS
M.T.A. STATION

ST CECILIA
R.C. CHURCH

CHARLES
NEWCOMB
SQUARE

BOSTON
CONSERVATORY
OF MUSIC

FRANCISCAN
MISSIONARIES
OF MARY

CHRISTIAN SCIENCE
PUBLISHING SOCIETY

AVE.

STONEHOLM

EDGERLY

HALLAM

STREET

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Hearing Date: 6/11/74

Petition No. Z-3095
Weston Associates, Inc.
Paul J. Donahue, President
11 Etna Street, Brighton

Petitioner seeks a forbidden use and seven variances to erect a 4½ story, 60 unit apartment structure in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A multi-family dwelling is forbidden in an R-.5 district.		
Section 10-1. Parking not allowed in required front yard.		
Section 14-1. Lot area is insufficient.	2 acres	29,700 sf
Section 14-2. Lot area for additional dwelling unit is insufficient.	3000 sf/du	0
Section 15-1. Floor area ratio is excessive.	0.5	1.4
Section 16-1. Height of building is excessive.	2 stories	4½ stories
Section 17-1. Open space is insufficient.	1000 sf/du	266 sf/du
Section 20-1. Off street parking is insufficient.	60 spaces	22 spaces

The property, located between Etna and Glencoe Streets, contains 29,700 square feet of vacant land. Density of the proposal is excessive and unwarranted. Open space deficiency cannot be justified. Lack of sufficient off-street parking would intensify curb parking demands on the surrounding streets. There is strong community opposition. A reduction in density to 10 units would be more appropriate. Recommend denial.

VOTED: That in connection with Petition No. Z-3095, brought by Weston Associates, Inc., 11 Etna Street, Brighton, for a forbidden use and seven variances to erect a 4½ story, 60 unit apartment structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Density of the proposal is excessive and unwarranted. Open space deficiency cannot be justified. Lack of sufficient off-street parking would intensify curb parking demands on the surrounding streets. There is strong community opposition. A reduction in density to 10 units would be more appropriate.



Z-3095
II ETNA ST.
(BRI.)

PLAYGROUND

MT. ST. JOSEPH
ACADEMY

WM. HOWARD TAFT
JUNIOR HIGH SCHOOL

KENNEDY

MEMORIAL

HOSPITAL

Board of Appeal Referrals 6/6/74

Hearing Date: 6/4/74

Petition No. Z-3096
 Denis V. Minihane
 425 Washington Street
 Brighton

Petitioner seeks nine forbidden uses, a conditional use and four variances to erect a one-story commercial structure in residential (R-.5) and local business (L-.5) districts. The proposal violates the code as follows:

- Section 8-7. Flower and garden shop is forbidden in an R-.5 district.
- Section 8-7. Sale over the counter of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food is ready for take out, is forbidden in an R-.5 district and conditional in an L-.5 district.
- Section 8-7. Professional offices are forbidden in an R-.5 district.
- Section 8-7. Agency office is forbidden in an R-.5 district.
- Section 8-7. Office building, bank are forbidden in an R-.5 district.
- Section 8-7. Barber shop, beauty shop, shoe repair shop, self-service laundry are forbidden in an R-.5 district.
- Section 8-7. Tailor shop, dry cleaning shop are forbidden in an R-.5 district.
- Section 8-7. Caterer's establishment, photographers' studio, printing plant, taxidermists' shop, upholsters' shop, carpenters' shop, electricians' shop, plumbers' shop, radio and television repair shop are forbidden in an R-.5 district.
- Section 8-7. Research laboratory, radio or television studio are forbidden in an R-.5 district.

	<u>Req'd</u>	<u>Proposed</u>
Section 10-1. Parking not allowed in required front yard.		
Section 18-1. Front yard is insufficient. (Washington Street)	25 ft.	0
Section 18-3. Corner traffic visibility is insufficient.		
Section 18-4. Front yard is insufficient. (Parsons Street)	25 ft.	0

The property, located at the intersection of Parsons Street, contains 29,322 square feet of vacant land. The lots have remained vacant and unimproved for several years. Proposed commercial facility would enhance the property and stabilize the local business district. Community and developer are amenable to the following: that the drive-in restaurant be eliminated; that plans be submitted for design review.
Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3096, brought by Denis V. Minihane, 425 Washington Street, Brighton, for nine forbidden uses, a conditional use and four variances to erect a one-story commercial structure in residential (R-.5) and local business (L-.5) districts, the Boston Redevelopment Authority recommends approval with the following provisos: that the drive-in restaurant (use #36A) be eliminated; that plans be submitted to the Authority for design review. The community and developer are amenable to these provisions.



Z-3096

425 WASHINGTON ST.
(BRI.)

Board of Appeal Referrals 6/6/74

Hearing Date: 6/11/74

Petition No. Z-3097
John H. McNamara
291 North Harvard Street
Allston

Petitioner seeks a forbidden use and a variance for a change of occupancy from a one-family dwelling to offices in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Offices are forbidden in an R-.5 district.		
Section 18-1. Front yard is insufficient.	25 ft.	16 ft.

The property, located near the intersection of Coolidge Road, contains a two-story frame structure. Office use, for ready mix concrete facility across the street, has existed for many years with no apparent neighborhood objection. Following is recommended: that the use extend only to the petitioner; that there be no additions to or alterations of the structure; that no signs be allowed. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3097, brought by John H. McNamara, 291 North Harvard Street, Allston, for a forbidden use and a variance for a change of occupancy from a one-family dwelling to offices in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the use extend only to the petitioner; that there be no additions to or alterations of the structure; that no signs be allowed.



Z-3097

291 NORTH HARVARD ST.

(ALLSTON)

EXTENSION

BOSTON & ALBANY

MASSACHUSETTS TURNPIKE

BOSTON & ALBANY

EXTENSION

RAILROAD

LINCOLN

FRANKLIN

SUB STATION

ALCOTT

BRADBURY

MANSFIELD

COOLIDGE

ROYAL

HOLMAN

AREEN

HASKELL

ROAD

ARVARD

OXFORD

CATONIA

HOPKIRK

STREET

STREET

Board of Appeal Referrals 6/6/74

Hearing Date: 6/11/74

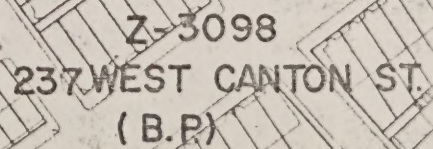
Petition No. Z-3098
Paul & Alice d'Entremont
237 West Canton Street
Boston

Petitioner seeks two variances to legalize one-family dwelling, erect carport-sundeck addition and an eight foot fence in an apartment (H-2) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 19-4. Side yard is insufficient.	11 ft.	0
Section 20-1. Rear yard is insufficient.	11 ft.	6 ft.

The property, located near the intersection of Carleton Street, contains a four-story masonry structure. In February 1973, petitioner submitted a proposal to legalize the carport-sundeck addition. The Authority then recommended approval provided the additions comply with building code requirements. The Board of Appeal subsequently dismissed the petition. Recommend approval with similar proviso.

VOTED: That in connection with Petition No. Z-3098, brought by Paul & Alice d'Entremont, 237 West Canton Street in the South End Urban Renewal Area, for two variances to legalize one-family dwelling, erect carport-sundeck addition and an eight foot fence in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided the additions comply with building code requirements.



Board of Appeal Referrals 6/6/74

Hearing Date: 6/11/74

Petition No. Z-3104
Wentworth Building Corporation
Robert D. Gordon, Treasurer
33 Broad Street, Boston

Petitioner seeks a variance to erect a 2 ft. x 40 ft. wall sign on an office building in a general business (B-10) district. The proposal violates the code as follows:

Section 11-2. A sign attached parallel to a building may be no higher than the top of the sills of the first level of windows above the first story.

Property, located between Central and Water Streets, contains an eleven story office building. Sign, consisting of non-illuminated steel channel letters denoting "Macabees Mutual Life", would be erected at approximately the eighth floor level. The site is within the newly created Custom House District of the National Register of Historic Places. Proposal would detract from the appearance of the building and the National Register District. Recommend denial.

VOTED: That in connection with Petition No. Z-3104, brought by Wentworth Building Corporation, 33 Broad Street, Boston, for a variance to erect a 2 ft. x 40 ft. wall sign on an office building in a general business (B-10) district, the Boston Redevelopment Authority recommends denial. The site is within the newly created Custom House District of the National Register of Historic Places. Proposed sign would detract from the appearance of the building and the National Register District.

